

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NORTH CAROLINA

HASSAN MOHAMED,

Plaintiff,

v.

SUNRISE VESSEL OPERATIONS,

Defendant.

Case No.:

Honorable

Magistrate

COMPLAINT

NOW COMES Plaintiff, Hassan Mohamed, by and through counsel undersigned, O'Bryan Baun Karamanian, complaining against Defendants as follows:

1. Jurisdiction and venue lie in this action, Defendant conducting business within this forum's boundaries.

2. Subject Matter and Federal Question (28 USCA 1331) jurisdiction founded under the Jones Act (46 USCA 30104) for negligence, and under the general maritime law for unseaworthiness, maintenance, and cure.

3. At all times material to issues herein Plaintiff was employed by Defendant as a crewmember aboard its vessels, including the M/V Horizon Enterprise, with all acts and/or omissions giving rise to this action occurring within the course of Plaintiff's employment in the service of his ship.

4. On or about July 18, 2021, Plaintiff was ordered to secure the port side pilot ladder with a heavily rusted, corroded, inadequate, defective, derelict, and unsafe appliance, which was unfit for its intended purpose; without conducting a necessary JSA or job briefing; and without providing adequate supervision and manpower, requiring Plaintiff to lift the pilot ladder manually,

causing him injury, as a direct result of the described defects, the negligence of Defendant, unseaworthiness of the vessel, and Defendant's failure to provide a safe place to work.

DAMAGES

5. Defendant's tortious acts aforesaid caused or contributed to Plaintiff's damages, *inter alia*, as follows:

- a. Pain and suffering, past future.
- b. Mortification, humiliation, fright shock and embarrassment.
- c. Loss of earnings and earning capacity.
- d. Hospital, pharmaceutical and other cure expenses.
- e. Aggravation of prior condition, if any there be.
- f. Inability to engage in social, recreational, and other pursuits previously enjoyed.
- g. Mental anguish.
- h. Found.
- i. Maintenance, cure, punitive damages, and/or attorney fees.

WHEREFORE, Plaintiff demands trial by jury and judgment against Defendant, together with interest, costs, attorney fees and expenses, all to be methodically adjusted upwards during the pendency of this cause.

Respectfully submitted,

Harris Sarratt & Hodges, LLP

/s/ Clay Hodges

Clay Hodges (29270)

LR 83.1 Counsel

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and

O'Bryan Baun Karamanian

/s/ Gary Wm. Baun (w/permission)

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DEMAND FOR TRIAL BY JURY

NOW COMES Plaintiff by and through counsel undersigned, O'BRYAN BAUN KARAMANIAN, and hereby demands trial by jury in the above-referenced cause of action.

Respectfully submitted,

Harris Sarratt & Hodges, LLP

/s/ Clay Hodges

Clay Hodges (29270)

LR 83.1 Counsel

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